

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

July 10,1998

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable James F. Thaxter, Associate Justice; Honorable Herbert I. Levy, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Lisa J. Prosser, Deputy Clerk.

F026027 **People v. Fredenburg, et al.**
F026028

Cause called and argued by Andre Gaston, Esq., counsel for appellant Donald L. Fredenburg and by James F. Tritt, Esq., counsel for appellant Gary R. Stephens and by Nanette Winaker, Esq., Deputy Attorney General, counsel for respondent.

Submission deferred pending filing of supplemental letter briefs on or before July 17, 1998. Matter will stand submitted upon the filing of the letter briefs.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable James F. Thaxter, Associate Justice; Honorable Herbert I. Levy, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Joe G. Lopez, Deputy Clerk.

F029033 **F & L Farm Company, et al. v. City of Lindsay**

Cause called and argued by Steven L. Kabot, Esq., counsel for appellant and by Steven R. Williams, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Monday, July 13, 1998 at 10:00 A.M.

F030012 **Romero v. Delano-Earlimart Irrigation District**

No brief having been filed by appellant after notice duly given under rule 17(a) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

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F030042 In re Jamie E. et al., Minors

No brief or request for extension of time having been filed within the time provided, the appeal is dismissed.

F030431 In re Angel C., a Minor

No brief or request for extension of time having been filed within the time provided, the appeal is dismissed.

F027707 People v. Robancho, Jr.

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F024559 People v. Sullivan

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F030109 Walker v. Valley Vintners, Inc., et al.

No brief having been filed by appellant after notice duly given under rule 17(a) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F028409 People v. Martin

F030688 In re Darryl Eugene Martin on Habeas Corpus

On its own motion and after notice to the parties, the court orders the captioned matters consolidated for purposes of decision.

F027908 People v. Morgan

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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F027578 People v. Yarborough

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F029408 In re John B., et al., Minors

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F030808 Rene D. v. Superior Court, Tulare County; Department of Public Social Services

The petition for extraordinary writ is denied.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F027580 People v. Gonzalez

The matter is remanded to the trial court so that the district attorney may consider Gonzalez's eligibility for diversity in a manner consistent with this opinion.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F028384 People v. Cather

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F029874 People v. Durgin

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.